UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/46/383/Add.1
6 November 1991

ORIGINAL: ENGLISH

Forty-sixth session
Agenda items 127 and 131

UNITED NATIONS DECADE OF INTERNATIONAL LAW

REPORT OF THE SPECIAL COMMITTEE ON THE CHARTER OF THE UNITED NATIONS AND ON THE STRENGTHENING OF THE ROLE OF THE ORGANIZATION

United Nations Rules for the Conciliation of Disputes between States*

Report of the Secretary-General

CONTENTS

Page

REPLIES RECEIVED FROM UNITED NATIONS SPECIALIZED AGENCIES

World Intellectual Property Organization 2

* According to paragraph (c) of decision 45/413 of 28 November 1990, the General Assembly decided that "the question of the rules for the conciliation of disputes between States should be examined as part of the programme of the United Nations Decade of International Law and in the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, as appropriate".

WORLD INTELLECTUAL PROPERTY ORGANIZATION

[Original: English]

[8 July 1991]

1. The programme of WIPO for the biennium 1990-1991 includes an item entitled "Setting of Norms for the Protection and Enforcement of Intellectual Property Rights: Treaty on the Settlement of Intellectual Property Disputes between States". So far, two sessions of the Committee of Experts on the Settlement of Intellectual Property Disputes between States covered under the said item have been held in February 1990 and October 1990, and a third session will be held in September 1991. It is planned to continue this activity in the biennium 1992-1993, with the holding of a fourth session of the Committee of Experts and the convening of a Diplomatic Conference.

2. The discussions so far in the Committee of Experts have included consideration of procedures for the resolution of disputes between States in the field of intellectual property through procedures which enable a party to the dispute to submit the dispute to mandatory consultation and to a panel of persons designated by the parties or, if they are unable to do so, by the Director General of WIPO, from among a roster of potential personalities established by an Assembly of the States party to the Treaty. The Treaty would also enable the parties, if they so wish, to submit their dispute to the procedures of conciliation, good offices, mediation or arbitration. Some of the procedural rules would be set out in the treaty while others would be laid down in regulations adopted by the Assembly.

3. In view of the state of preparations for the draft treaty, it would not be in order for the International Bureau to make any observations/comments and suggestions on the draft conciliation rules of the United Nations, which were submitted to the General Assembly at its forty-fifth session as they appear in annex I of document A/C.6/45/L.2.